



Attorney General Jon Bruning

NEWS RELEASE

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Attorney General Bruning Files Charges Against Gas Station Owner and Distributor

Note: Sound bites on this topic will be available shortly at: <http://www.ago.ne.gov>

(Lincoln, Neb.) Attorney General Jon Bruning filed charges in Burt County today against a gas station owner and a distributor. A joint investigation between the Attorney General's Office and the Nebraska Department of Agriculture's Division of Weights and Measures showed both people were involved in a scam where ethanol-blend gasoline was sold to customers at the higher unleaded price.

"Gas prices are high, times are tough and Nebraskans should get what they pay for," said Bruning.

Tom Weise, who owns gas stations in Scribner (Scribner Express) and Decatur (Decatur Express), faces three counts of theft by deception, one count of criminal simulation, and one count of deceptive advertising.

Tim Kaup is the general manager of the Sapp Bros distribution center in West Point. He's charged with aiding and abetting Weise in committing seven counts of theft by deception, one count criminal simulation and one count of deceptive advertising.

The investigation found that Kaup actively promoted the idea of selling ethanol-blended gasoline at unleaded prices to store owners, and Weise took him up on it. Both men deceived customers for over a year.

Theft by deception is a class II misdemeanor with a penalty of up to six months in jail and a \$1,000 fine. Criminal simulation and deceptive advertising are class III misdemeanors punishable by up to three months in jail and \$500 fine. Both Weise and Kaup will appear in Burt County Court in Tekamah at 9 a.m. on Sept. 9.

In the last year, the Attorney General's Office has received around 90 gas complaints from consumers across Nebraska involving 35 stations. Issues raised include pricing, advertising and pump calibration. The office continues to work with Weights and Measures on investigations.

Greg Ibach, Director of the Nebraska Department of Agriculture said, "We are committed to making sure gas stations are playing by the rules and will continue to test pumps across the state."

"We know there are more stations taking advantage of unsuspecting customers. We intend to prosecute those who deceive the public. If they think they're going to get away with it, they're wrong," said Bruning.

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